

REMARKS

This amendment is responsive to the non-final Office Action of May 6, 2009. Reconsideration and allowance of claims 2-9, 12-17, and 19-21 are requested.

The Office Action

Claims 1, 2, 7, 8, 11, and 20 stand rejected under 35 U.S.C. § 102 as being anticipated by Yang (IEEE September 2003).

Claims 3-5, 10, 17, and 18 stand rejected under 35 U.S.C. § 103 over Yang in view of allegedly admitted prior art.

Claim 6 stands rejected under 35 U.S.C. § 103 over Yang in view of allegedly admitted prior art, further in view of Al-Saadi (Circulation 101:1397-1383, 2000).

Claims 9, 12-16, and 19 were indicated as containing allowable subject matter.

The Claims Distinguish Patentably Over the References of Record

Claim 13, which was indicated as containing allowable subject matter, has been placed in independent form. Claims 2-9, and 14-15 now depend from claim 13. Accordingly, it is submitted that **claims 2-9 and 13-15** are now in condition for allowance.

Claim 16, which was indicated as containing allowable subject matter, has been placed in independent form. Accordingly, it is submitted that **claim 16** is now in condition for allowance.

Claim 19, which was indicated as containing allowable subject matter, has been placed in independent form. Accordingly, it is submitted that **claim 19 and claims 17 and 20 dependent therefrom** now distinguish patentably over the references of record.

Claim 21 calls for generating a perfusion parameter for segments with below normal perfusion and normalizing the below normal perfusion parameter in accordance with a normal perfusion parameter. Yang was not applied as and does not normalize below average perfusion in accordance with normal perfusion.

The present specification at paragraph 3 of page 1 talks about normalizing based on the maximum upslope of the time-intensity profile of the left ventricle (LV). As pointed out in the paragraph which starts at line 27 of page 1 and continues to line 5 of page 2 and the paragraph at page 2, lines 21-25, using the LV time-intensity profile tends to cause errors. Instead of using the LV time intensity profile, claim 21 calls for normalizing the below normal perfusion in accordance with the normal perfusion parameter.

Accordingly, it is submitted that **claim 21, and claim 12**, which was previously indicated as containing allowable subject matter and which is dependent therefrom, now distinguish patentably and unobviously over the references of record.

Drawings

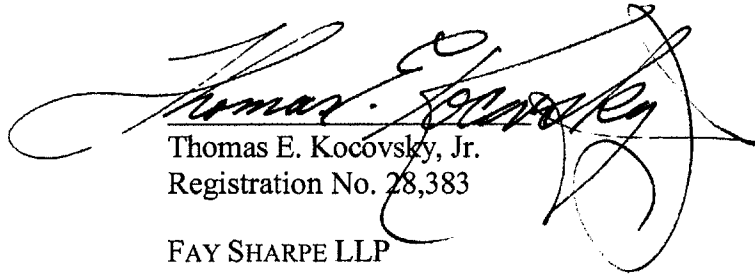
The applicant encloses a replacement sheet 3/4 of drawings, in which the boxes of Figures 5 and 6 have been labeled. An early indication of the approval of these replacement drawings is requested.

CONCLUSION

For the reasons set forth above, it is submitted that claims 2-9, 12-17, and 19-21 distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is requested to telephone Thomas Kocovsky at 216.363.9000.

Respectfully submitted,



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